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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,532	06/25/2001	Yukihiro Mizoguchi	016907/1196	6288

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EXAMINER	
BEKERMAN, MICHAEL	

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,532	MIZOGUCHI ET AL.	
	Examiner	Art Unit	
	Michael Bekerman	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-17 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 25 June 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 02/02/01.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Applicant was required (4/25/01) to submit a statement that the translation of the specification was accurate. Examiner did not find such a statement in the scanned file. Applicant is requested to fax a copy.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "34" has been used to designate both a line sensor (Page 9, Line 10) and NVRAM (Page 18, Line 5). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 1: 59 and 152, Figure 2: 80. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any

amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 5, 9, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 5 recites the limitation "this time period" in Lines 5 and 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitations "accounting process" and "accounting process section" in Lines 11 and 12. Since claim 9 is dependent on claim 1, there is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "second process section" in Line 10. Since claim 14 is dependent on claim 12, there is insufficient antecedent basis for this limitation in the claim. Claim 12 never cites a first process section.

Claim 32 recites the limitation "a second input which inputs." The scope of this claim is not clearly defined and it is unclear as to how an input device inputs.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-5, 12, 15, 21-23, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagisawa (U.S. Patent No. 6,961,710) in view of Doherty (U.S. Pub. No. 2003/0200128).

Regarding claims 1-3, 12, 15, 21, and 31, Yanagisawa teaches a display for displaying advertising information (Yanagisawa, Column 2, Line 64), a touch panel provided on the display for setting image registration (Yanagisawa, Column 5, Line 8), a scanner for reading an advertisement to be registered (Yanagisawa, Column 5, Line 9), a storage device for storing the registered image (Yanagisawa, Column 6, Lines 61-65), and a registration section for registering an image (imputing an image into the system to be displayed is registering the image). Yanagisawa also teaches the entering and registering of an advertising message or description along with the image (Yanagisawa, Figure 11). Yanagisawa doesn't teach a control section for selectively displaying advertisements on the display. Doherty teaches a method of scheduling advertisements (images and messages) to be displayed on a display device while a

user is not interacting with said device (Doherty, Paragraph 0008). Since advertisements are capable of being shown on the display device of Yanagisawa (Yanagisawa, Column 11, Lines 31-34), it would have been obvious to one having ordinary skill in the art at the time the invention was made to not only print the advertisements on receipts, but to also display advertisements on the display device as a screen savor using the scheduling method of Doherty. This would allow the system operator to gain more revenue by charging not only for the printing of an advertisement, but for the displaying of an advertisement as well.

Regarding claims 4 and 22, Yanagisawa teaches a display that can display all registered images on a portion of said display (Yanagisawa, Column 2, Lines 65-67). Yanagisawa doesn't teach the images as being displayed in any particular order. Doherty teaches the displaying of registered advertising images according to a schedule (Doherty, Paragraph 0008). It would have been obvious to one having ordinary skill in the art at the time the invention was made to show the multiple advertisements according to a scheduled order. This would ensure that advertisements would be displayed according to the advertiser's wishes.

Regarding claims 5 and 23, Yanagisawa teaches a display panel device that displays information for setting the image forming operation (Yanagisawa, Column 10, Lines 47-56). Yanagisawa doesn't teach the showing of advertisements while image registration information is not being displayed. Doherty teaches the use of user interrupts, so that when the user is inputting an advertisement (image setting information is being displayed), no advertisements will be displayed, and vice versa

(Doherty, Paragraph 0008). It would have been obvious to one having ordinary skill in the art at the time the invention was made halt the showing of advertisements while an advertiser inputs an advertisement. If the advertisements continued to display endlessly, no new advertisements could be introduced to the system.

Regarding claims 32 and 33, Yanagisawa's touch panel meets the limitations of both the first and second input device (Yanagisawa, Figures 9-13). The addition of another input device (other than the scanner and touch panel) offers nothing new to the system. The inputting of conditions is taken to describe functional language and doesn't further limit the apparatus claim. Claim 33 further describes the functional language of claim 32, and also fails to further limit the apparatus claim.

7. Claims 6-11, 13, 14, 16-20, and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagisawa (U.S. Patent No. 6,961,710) in view of Doherty (U.S. Pub. No. 2003/0200128), and further in view of Unold (U.S. Pub. No. 2002/0055880).

Regarding claims 6 and 24, neither Yanagisawa nor Doherty teaches the advertisements being shown as having predetermined time intervals. Unold teaches advertisements as having lengths of fifteen, thirty, or sixty seconds (Unold, Paragraph 0063). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include time intervals when scheduling advertisements. Without knowing advertisement time intervals, scheduling of multiple advertisements would be difficult.

Regarding claims 7, 9, 13, 19, 25-28, 34, and 35, Doherty teaches the priority level as relating to the amount an advertiser is charged (by varying the charge based on the priority level, it is inherent that the advertiser would need to input a priority level) (Doherty, Paragraph 0048, Last Sentence). Neither Yanagisawa nor Doherty teaches the user as inputting or being charged for an advertising time. Unold teaches the user as inputting and being charged for different lengths of time that an advertisement can run. It would have been obvious to one having ordinary skill in the art at the time the invention was made to allow a user to input an advertising run-time and to be charged for the length of said run-time. This would allow the system operator to gain more revenue for more time-consuming ads.

Regarding claims 8 and 18, Doherty teaches the displaying of advertisements according to a priority level, and at times in which advertisement display is permitted (Doherty, Paragraph 0008). Neither Yanagisawa nor Doherty teaches the advertisements as being scheduled according to time intervals. Unold teaches the controlling of advertisements according to predetermined time intervals of fifteen, thirty, or sixty seconds (Unold, Paragraph 0063). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include time intervals when scheduling advertisements. Without knowing advertisement time intervals, scheduling of multiple advertisements would be difficult.

Regarding claims 10, 11, 29 and 30, Doherty teaches a switch-display section for displaying advertisements in a switched manner (Doherty, Paragraph 0008). Neither Yanagisawa nor Doherty teaches the advertisements as being scheduled according to

time intervals, and neither reference teaches a finishing section that deletes the advertisement from the system. Unold teaches the controlling of advertisements according to predetermined time intervals of fifteen, thirty, or sixty seconds (Unold, Paragraph 0063) and Unold also teaches the deletion of advertisements from the system (advertisers may delete advertisements whenever they wish) (Unold, Paragraph 0121, Sentence 6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include advertisement time intervals and a finishing section. Without knowing advertisement time intervals, scheduling of multiple advertisements would be difficult. Also, the presence of a finishing section would allow advertisers to delete an advertisement whenever they feel appropriate. By specifying time intervals, it is inherent that the display device would stop displaying an advertisement once said time interval has elapsed.

Regarding claims 14 and 20, Neither Yanagisawa nor Doherty nor Unold teaches the advertiser as being charged for the length of an advertisement. Official notice is taken that it is well known to charge for the length of advertisement messages. Newspapers are common advertising outlets that charge to display classified ads according to the length of the ad. It would have been obvious to one having ordinary skill in the art at the time the invention was made to charge the advertiser according to the length of the advertising message. This would allow the system operator to gain more revenue for longer ads.

Regarding claims 16 and 17, neither Yanagisawa nor Doherty teaches the use of pre-registered identification information and passwords. Unold teaches the use of

username and passwords to determine if a user may input an advertisement or if a system operator will allow the advertisement to be displayed (Paragraph 0084 and 0087, Sentence 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to allow access to the system only to users with usernames and passwords. This would allow for greater security.

Response to Amendment

8. The amendment filed 09/05/2001 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Claim 32 introduces a second input device that is not supported by the specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to advertisement scanning and display:

U.S. Patent No. 6,384,736 to Gothard

U.S. Patent No. 6,404,994 to Kawai

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Bekerman whose telephone number is (571) 272-3256. The examiner can normally be reached on Monday - Friday, 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric W. Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MB

JEFFREY D. CARLSON
PRIMARY EXAMINER